

IN RE:

MARITZA SOLA MORALES

DEBTOR(S)

CASE NO. 15-03511-BKT

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 8/28/2018**

With respect to the above-referred payment plan with a base of \$15,506.00 the Trustee Renders the following recommendation:

☐ **FAVORABLE**

☒ **UNFAVORABLE**

The liquidation value of the estate is: \$36,092.00

1. ☒ **FEASIBILITY 11 USC § 1325(a)(6): Debtor is in arrears in the amount of \$65.00. Last payment received on 3/22/2018.**

2. ☐ **INSUFFICIENTLY FUNDED § 1325(b):**

3. ☐ **UNFAIR DISCRIMINATION § 1322(b):**

5. ☒ **FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):**

Per Schedule J, debtor's monthly net income is \$345. However, plan is proposing the monthly payment of \$65.00. Also, As per notice of mortgage payment change filed by CitiMortgage the new mortgage payment is \$485.33; however, Schedule "J" (dk. 28) reflects the amount of \$514.55. Amend Plan and Schedule J accordingly. Provide evidence of current income and amend Schedule I, if necessary.

4. ☐ **FAILS LIQUIDATION VALUE TEST § 1325(a)(4):**

6. ☐ **DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):**

7. ☒ **OTHER:**

Part 4.3 of plan should read \$3,243 instead of \$2,893. Part 4.6 Plan proposes for surrender of the vehicle. Debtor to delete provision for insurance. NOTE: Trustee already paid to Scotiabank the amount of \$2,142.84 plus \$65.57 as legal fees.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s).
Copies are available to parties in interest at the Trustee's Office.

DATE: 9/14/2018

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